

**DOCKETED**

<b>Docket Number:</b>	16-RPS-03
<b>Project Title:</b>	Amendments to Regulations Specifying Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities
<b>TN #:</b>	235931
<b>Document Title:</b>	Steve Uhler Comments - Authority to define electricity as a product
<b>Description:</b>	N/A
<b>Filer:</b>	System
<b>Organization:</b>	Steve Uhler
<b>Submitter Role:</b>	Other Interested Person
<b>Submission Date:</b>	12/14/2020 1:41:24 PM
<b>Docketed Date:</b>	12/14/2020

*Comment Received From: Steve Uhler  
Submitted On: 12/14/2020  
Docket Number: 16-RPS-03*

## **RPS-16-03 Authority to define electricity as a product**

RPS-16-03 Authority to define electricity as a product

Where does electricity become a product?

Section 3201(m) defines "Electricity product" as (1) Electricity and the associated renewable energy credit generated by an eligible renewable energy resource. (2) An unbundled renewable energy credit.

Authority cited for the entirety of 3201 are sections 25213 and 25218 (e), Public Resources Code; and section 399.30, Public Utilities Code. Reference: Sections 25741 and 25747, Public Resources Code; and section 399.30, Public Utilities Code. None of these laws referenced define electricity as a product.

Third 15-Day Language (TN235823) does not reference what law conveys authority to the Energy Commission to define electricity as a product in the regulations notwithstanding any other law.

Please provide reference to authority to use the definition of "Electricity product" in the Third 15-Day Language notwithstanding any other law.

Pursuant to Public Resources Code section 25213. (a), be clear as to where in the stream of commerce electricity becomes a product, to ensure the regulations only count procured products for compliance with California's Renewable Portfolio Standard.

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